

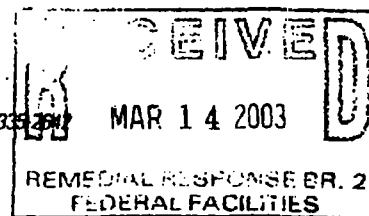
US EPA RECORDS CENTER REGION 5



426668

37371C p. 11
TRW Automotive

Automotive Electronics
24175 Research Drive
Farmington Hills, MI 48335-2647
Tel 248.442.7210
Fax 248.442.7241



March 13, 2003

BY OVERNIGHT DELIVERY

Deena M Sheppard-Johnson
United States Environmental Protection Agency
Region 5
77 West Jackson Blvd.
Chicago, IL 60604-3507

Re: South Dayton Sump Site
Moraine, Ohio

Dear Deena :

Enclosed please find Kelsey-Hayes' Response to Request for Information pursuant to Section 104 of CERCLA, regarding the above-captioned site.

Should you have any questions, please feel free to contact me.

Sincerely,

Maureen A. Donahue
Legal Assistant to Scott Blackhurst

enclosures

**KELSEY-HAYES COMPANY'S
RESPONSE TO SECTION 104 INFORMATION REQUEST
SOUTH DAYTON DUMP SITE, MORaine, OHIO**

Kelsey-Hayes Company ("Kelsey-Hayes") submits this Response to a Request for Information Pursuant to Section 104 of CERCLA Regarding the South Dayton Dump Site in Moraine, Ohio, dated December 16, 2002 (the "Information Request"). As confirmed in my e-mail to Thomas Nash, Office of Regional Counsel, U.S. EPA, Kelsey-Hayes' due date for this Response was extended to March 17, 2003.

INTRODUCTION

The Information Request was directed to "Dayton-Walther Corporation, Kelsey-Hayes." This response is made on behalf of Kelsey-Hayes as a corporate successor to the Dayton-Walther Corporation. (Dayton-Walther Corporation ceased to exist as a separate corporate entity in 1997 when it was merged into Kelsey-Hayes Company, then known as K-H Corporation.) Upon information and belief, Dayton Walther operated three (3) facilities in the Dayton, Ohio area:

1. 1366 Miami Chapel Road, Dayton, Ohio: Dayton-Walther operated a foundry and machine shop at this location for producing castings for heavy-duty component parts (e.g., brake drum castings). This facility was also known as 1261 Morris Avenue. (Although there are two street addresses, both addresses encompass one plant, which was situated at one geographic location.) Dayton-Walther ceased operations at this location initially in 1982-82, re-opened in 1985-86 and then closed in 1989.
2. 2800 East River Road, Dayton, Ohio: Dayton-Walther operated a three-story office building at this location, which housed corporate offices and a test lab. This building closed in the mid-to-late 1990's.
3. 2490 Arbor Boulevard, Moraine, Ohio: Dayton-Walther operated a manufacturing plant and machine shop at this location. This facility was sold in 1998 to Merritor Heavy Vehicle Braking Systems (U.S.A.), Inc.

These three (3) Dayton Walther facilities are hereinafter referred to as the "relevant Dayton Walther facilities."

GENERAL OBJECTIONS

1. For purposes of responding to the Information Request, Kelsey-Hayes' search for information has been limited, in general, to appropriate subject matter files its possession, custody or control. The ground for this limitation is that any broader search by Kelsey-Hayes would cause undue burden and expense and would be oppressive.

2. Kelsey-Hayes objects to the Information Request insofar as it calls for or purports to call for any information that is confidential, privileged, was prepared in anticipation of litigation and/or for trial or is otherwise immune from production.
3. Kelsey-Hayes objects to the Information Request insofar as it seeks information contained in documents equally available to the U.S. EPA from the files of federal, state and/or local agencies. Obtaining such documents directly from such sources is more convenient, less burdensome and oppressive, and less expensive than seeking them from Kelsey-Hayes.
4. Kelsey-Hayes objects to the Information Request insofar as information sought is not relevant to the South Dayton Dump Site.
5. Kelsey-Hayes objects to the Information Request insofar as the requests are unreasonable, unduly burdensome and oppressive.
6. Kelsey-Hayes expressly reserves the right to supplement this Response if, when and to the extent new or additional information subsequently becomes available to Kelsey-Hayes.
7. Kelsey-Hayes incorporates by reference all of the General Objections set forth above into each of the specific responses set forth below.

RESPONSES TO SPECIFIC REQUESTS

REQUEST 1:

Identify all persons consulted in the preparation of the answers to these questions.

RESPONSE TO REQUEST 1:

Luke Santos, Manager of Health, Safety & Environment, FRW Automotive, as concerns the general background information provided in the Introduction, above, and the location of any potentially relevant documentation.

John Mogelnicki, former Manager of Environmental Engineering for Dayton Walther, as concerns the general background information provided in the Introduction, above, the location of any potentially relevant documentation, and the identity of former employees at the relevant Dayton Walther facilities.

Jack Wantz, former Dayton Walther employee, as concerns the general background information provided in the Introduction, above, the location of any potentially relevant documentation, and the identity of former employees at the relevant Dayton Walther facilities.

Ellen Siebensuch and Valerie Hanna, attorneys for Kelsey-Hayes in the Valley Crest Landfill matter, as concerns the information collected in the Valley Crest Landfill matter regarding the relevant Dayton Walther facilities.

REQUEST 2:

Identify all documents consulted, examined, or referred to in the preparation of the answers to these questions and provide copies of all such documents.

RESPONSE TO REQUEST 2:

Responses of Kelsey-Hayes to the U.S. EPA Request for Information Pursuant to Section 104 of CERCLA Regarding the Valley Crest Landfill, Montgomery County, Dayton, Ohio (copies provided to U.S. EPA in that matter).

"Summary of Information Available to Kelsey Hayes re Dayton Walther Facilities" that was attached as an exhibit to the deposition of Joseph Kwan, the Kelsey-Hayes' 30(b)6 witness in Cargill, Inc., et al., v. Advanced Foundry, Inc., et al., U.S. District Court, Southern District of Ohio (Case No. C-3-98-036)(relating to the Valley Crest Landfill)(hereinafter referred to as "Valley Crest Summary"). See attached document labeled Bates Nos. 000001-000007.

Affidavit of Jack Wantz dated March 12, 2003. See attached document labeled Bates No. 000535.

REQUEST 3:

If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.

RESPONSE TO REQUEST 3:

See Response to Request 2, above. The Valley Crest Summary identifies former Dayton Walther employees who may have information on waste generation and disposal practices at the relevant Dayton Walther facilities.

REQUEST 4:

List the EPA Identification Numbers of the Respondent.

RESPONSE TO REQUEST 4:

1366 Miami Chapel – OHD – 000817510
2800 E. River Rd. – OHD-004277158
2490 Arbor Blvd. –OHD-092821420

REQUEST 5:

Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants, and damages resulting therefrom at the South Dayton Dump Site.

RESPONSE TO REQUEST 5:

The only information Kelsey-Hayes has been able to locate regarding the relevant Dayton Walther facilities is identified in Response to Request 2, above. The only information in those documents that may relate to the South Dayton Dump Site is a statement attributed to Jack Wantz in the Valley Crest Summary, see Bates No. 000004 (reference to Grillot's Landfill). However, as clarified in the attached affidavit of Mr. Wantz, Bates No. 000535, Mr. Wantz has no personal knowledge that any waste materials from Dayton Walther went to the South Dayton Dump Site (or Grillots).

REQUEST 6:

Identify all persons including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site.

RESPONSE TO REQUEST 6:

See Response to Request 2 and Request 3, above.

REQUEST 7:

Set forth the dates during which the Respondent engaged in any of the following activities:

- a. generation of hazardous materials which were sent to the South Dayton Dump Site;
- b. transportation of any material to the South Dayton Dump Site.

RESPONSE TO REQUEST 7:

See Response to Request 5, above. Kelsey-Hayes has not located any information indicating Dayton Walther generated or transported any materials to the South Dayton Dump Site.

REQUEST 8:

Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the South Dayton Dump Site. In addition, identify the following:

- c. The persons with whom you or such other persons made such arrangements;
- d. Every date on which such arrangements took place;
- e. For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;
- f. The owner of the materials or hazardous substances so accepted or transported;
- g. The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- h. All tests, analyses, and analytical results you are aware of concerning the materials;
- i. The person(s) who selected the South Dayton Dump Site as the place to which the materials or hazardous substances were to be transported;
- j. The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- k. Where the person identified in g. above, intended to have such hazardous substances or materials transported and all evidence of this intent;
- l. Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- m. What was actually done to the materials or hazardous substances once they were brought to the South Dayton Dump Site;
- n. The final disposition of each of the materials or hazardous substances involved in such transactions;
- o. The measures taken by you to determine the actual methods, means and site of treatment or disposal of the material and hazardous substances involved in each transaction;
- p. The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the South Dayton Dump Site, and all marking on such containers;
- q. The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance;

- r. All documents containing information responsive to a) – o) above, or in lieu of identification of all relevant documents, provide copies of all such documents;
- s. All persons with knowledge, information, documents responsive to a – p above.

RESPONSE TO REQUEST 8:

See Response to Request 5, above.

REQUEST 9:

Identify all liability insurance policies held by Respondent from 1941 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

RESPONSE TO REQUEST 9:

Liability insurance policies located to date are attached. See documents labeled Bates Nos. 000008-000386.

REQUEST 10:

Provide copies of all income tax returns, including all supporting schedule, sent to the Federal Internal Revenue Service in the last five years.

RESPONSE TO REQUEST 10:

Attached are the 2002 and 2001 U.S. Corporation Income Tax Returns (Form 1120) for Kelsey-Hayes. See attached documents labeled Bates Nos. 000387-000475. Prior to March 3, 2003, Kelsey Hayes was a wholly owned, indirect subsidiary of TRW Inc., so Kelsey-Hayes' tax return was filed as part of TRW Inc.'s consolidated corporate tax return. (On March 3, 2003, Kelsey-Hayes and the other automotive businesses of TRW Inc. were sold by Northrop Grumman Corporation, which had acquired TRW Inc. on December 11, 2002, to affiliates of The Blackstone Group to form TRW Automotive Inc.

REQUEST 11:

If Respondent is a Corporation, respond to the following requests:

- a. Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.
- b. Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.
- c. Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.
- d. Identify the Parent Corporation and all Subsidiaries of the Respondent.

RESPONSE TO REQUEST 11:

- a. See attached documents labeled Bates Nos. 000476-000534.
- b. See attached documents labeled Bates Nos. 000476-000534.
- c. Kelsey-Hayes objects to this Request as overly broad and unduly burdensome. Without waiving this objection, see Response to Request 11.b., above, and Response to Request 11.d., below.
- d. Kelsey-Hayes is a wholly owned, indirect subsidiary of TRW Automotive Inc., which is a privately held corporation headquartered in Livonia Michigan, with 64,000 employees in 22 countries. It is the eighth largest automotive supplier in the world (based on 2001 sales of over \$10 billion). Its products include integrated vehicle control and driver assist systems, braking systems, steering systems, suspension systems, occupant safety systems (seat belts and airbags), electronics, engine valves, fastening systems and aftermarket replacement parts. For information on the subsidiaries of Kelsey-Hayes, see attached document labeled Bates No. 000536.

REQUEST 12:

If Respondent is a Partnership, respond to the following requests:

- a. Provide copies of the Partnership Agreement;
- b. Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.
- c. Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.
- d. Identify all subsidiaries of the Respondent.

RESPONSE TO REQUEST 12:

Not applicable.

REQUEST 13:

If Respondent is a Trust, respond to the following requests:

- a. Provide all relevant agreements and documents to support this claim.
- b. Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.
- c. Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.

RESPONSE TO REQUEST 13:

Not applicable.

AFFIDAVIT OF JOHN L. WANTZ

STATE OF OHIO)
)
COUNTY OF MONTGOMERY) ss:

John L. Wantz being duly sworn and deposes and says:

1. I reside at 410 Carlwood Dr., Miamisburg, OH 45324 and my phone number is 937-866-6436.
2. I was employed by Dayton Walther from 1956-2000, in the following capacities:
From 1956-1983 - I held various management positions from clerk to machine shop superintendent, Dayton Division; 1983-1986 - Industrial Relations Manager, Moraine Division; 1986-1988 - Workers Compensation and Safety, Corporate; and 1989-2000 - Human Resource Manager, Moraine Division.
3. I submitted an affidavit in July, 1994 with regards to the Valleycrest Site which covers facility operations.
4. With regard to the Dayton Dump Site, to the best of my knowledge, I know of no waste disposal by Dayton Walther at the South Dayton Dump Site. In conversations with John Mogelnicki or Ellen Siebenschuh, regarding the Valleycrest Landfill matter, I may have mentioned Mr. Grillot as the owner or operator of waste disposal operation in the Dayton, Ohio area. I speculated that some waste from Dayton Walther operations in the Dayton area may have been handled by Mr. Grillot. However, I have no personal knowledge of any waste from the Dayton Walther facilities actually being handled or disposed of at any landfill that may have been operated by Mr. Grillot.

000535

5. If called upon to testify, I can do so truthfully as to all matters set forth in this Affidavit.

John L. Wantz
JOHN L. WANTZ

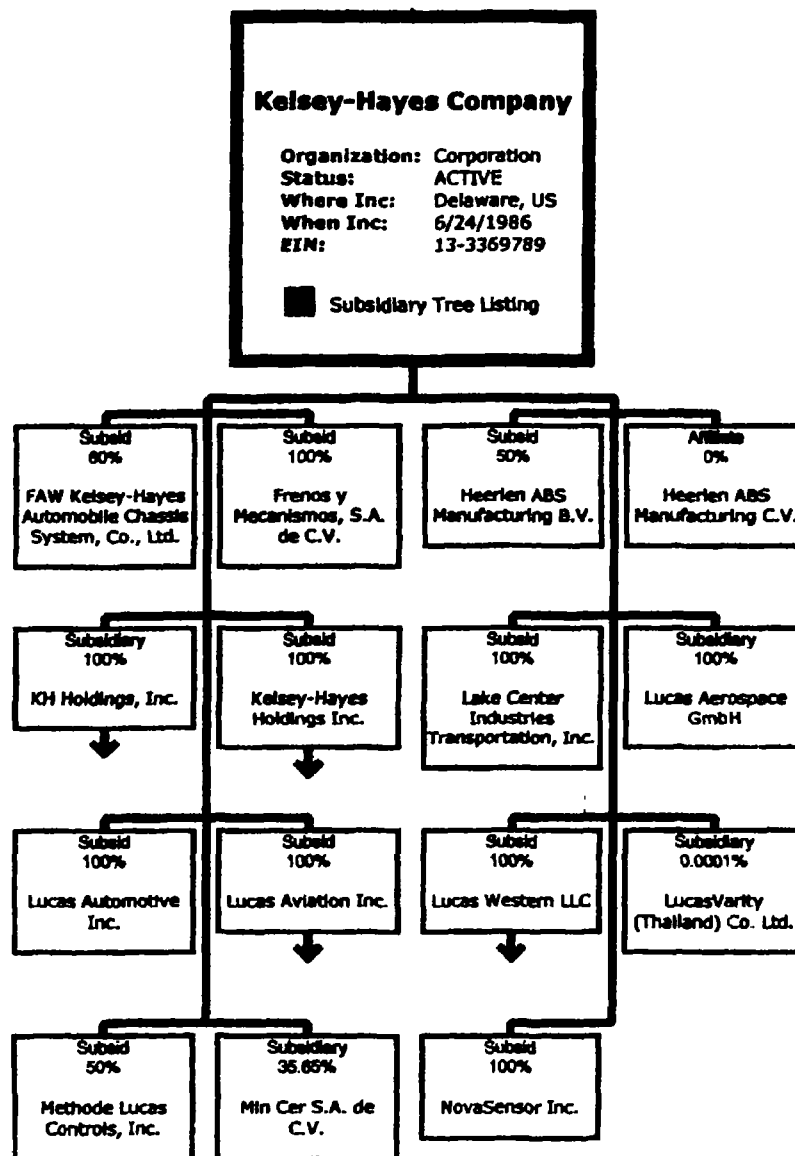
Sworn to and signed before me, this 12 day of MARCH, 2003.

State: OH
County: Montgomery ss:

Margie J. Bechtel
Notary Public

**MARGIE J. BECHTEL, NOTARY PUBLIC
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES AUG. 25, 2006**

Graphical Org Chart
Kelsey-Hayes Company



000536

1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF OHIO
3 WESTERN DIVISION AT DAYTON
4 - - -
5 CARGILL, INC., ET AL., :
6 PLAINTIFFS, :
7 -VS- :CASE NO. C-3-98-036
8 ADVANCED FOUNDRY, INC., ET AL., :
9 DEFENDANTS. :

10 - - -
11 Deposition of Joseph P. Kwan, a
12 Kelsey-Hayes 30(b)6 witness herein, taken by the
13 defendants as upon direct examination pursuant to
14 the Federal Rules of Civil Procedure and pursuant
15 to Subpoena and Notice to Take Deposition and
16 stipulations hereinafter set forth at the offices
17 of Squire, Sanders & Dempsey, 4900 Key Tower, 127
18 Public Square, Cleveland, Ohio, at 9:00 a.m. on
19 Friday, May 30, 2002 before Pamela Sue Spangler,
20 RPR, a notary public within and for the State of
21 Ohio.

22 - - -
23 APPEARANCES:
24 On behalf of the Plaintiffs:

Spangler Reporting Services

PHONE (513) 381-3330 FAX (513) 381-3342

6

1 (Exhibit No. 349 was marked for identification.)

2 (Witness sworn.)

3 MR. FAGUE: Good morning, sir.

4 THE WITNESS: Good morning.

5 MR. FAGUE: My name is Terry Fague,
6 and I'm an attorney. I represent a number of the
7 defendants, generator defendants, in the litigation
8 that brings us here this morning.

9 JOSEPH P. KWAN

10 of lawful age, a Kelsey-Hayes 30(b)6 witness
11 herein, being first duly sworn as hereinafter
12 certified was examined and deposed as follows:

13 DIRECT EXAMINATION

14 BY MR. FAGUE:

15 Q. Could you please state your full name
16 for the record.

17 A. It's Joseph P. Kwan.

18 Q. And that's spelled K W A N?

19 A. That's right.

20 Q. And according to the card you've
21 given me, you are Director, Environmental
22 Management for TRW?

23 A. That's correct.

24 Q. And your business address is Business

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9

1 Dayton Walther Company?

2 A. No.

3 Q. Sir, let me ask in general terms what
4 have you done in preparation for your deposition
5 this morning? And by that question I mean to
6 include this sort of investigation you would have
7 performed or caused others to perform on your
8 behalf.

9 A. I work with our team, which includes
10 legal counsel, and legal assistant to review the
11 data gathered as well as participated in the phone
12 conference call with Mr. Jack Wantz and also
13 setting up the materials that were gathered for
14 this purpose.

15 Q. Okay. And the materials that you're
16 referring to, what materials were they?

17 A. I was provided with a notebook full
18 of information. In summary -- including a summary
19 of information for this particular -- for the
20 Dayton Walther locations as well as the 104(e)
21 response and excerpts from depositions.

22 MR. FAGUE: Counsel, do you have any
23 problem providing us with a copy of the materials
24 that the witness used to prepare for his

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10

1 deposition?

2 MS. SIEBENSCHUH: Not at all. I can
3 give you right now, if you would like it, the
4 summary sheet that he referred to.

5 MR. SIEGEL: Here's two copies of
6 the summary and another one to mark, that would be
7 fine.

8 MR. FAGUE: Thank you. When you say
9 "summary sheet," this references various discrete
10 documents that he has in his binder of materials
11 there?

12 THE WITNESS: Right. I believe the
13 rest of the documents you already have. The
14 summary is --

15 MR. FAGUE: Probably so, I just
16 haven't looked at them yet, so -- okay. Well,
17 let's go ahead and mark this then.
18 (Exhibit No. 350 was marked for identification.)

19 BY MR. FAGUE:

20 Q. Before we get to the document that we
21 just marked, let me hand you what's been marked as
22 Defendants' Exhibit 349, it's just a copy of the
23 Notice of Deposition. I'll just ask you, have you
24 seen that document before?

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11

1 A. Yes, I have.

2 Q. That's the Notice of Deposition that
3 was filed in this case to compel this deposition
4 today, you're familiar with that?

5 A. Um-hmm.

6 Q. If you flip over to Schedule A, there
7 is a number of discrete categories, I'm going to be
8 asking you about each and every one of those, but
9 is it fair to say those are the sorts of things
10 that you investigated to prepare for your
11 deposition today?

12 A. That's correct.

13 Q. Okay. I'm now handing you what has
14 just been marked as Defendants' Exhibit 350.
15 That's a copy provided by your counsel of the
16 summary that you've referenced a few moments ago;
17 is that correct?

18 A. Yes.

19 Q. Okay. Sir, to whom do you currently
20 report?

21 A. I report to the Vice President of
22 Health, Safety and Environmental Management.

23 Q. And who was it within the
24 organization that designated you to testify as the

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Summary of Information
Available to Kelsey Hayes re Dayton Walther Facilities

I. Nature of Information Available to Kelsey Hayes and Steps Taken to Prepare for Depo

A. Due to the closure of one of the DW facilities in 1990 and the sale of the other in 1998, Kelsey-Hayes' access to relevant documentation and individuals with knowledge is limited. In order to prepare for today's deposition, KH took the following steps:

1. Conducted a thorough search of KH records for any relevant documents. Any KH files relating to the DW facilities at issue herein would have been located in our offices in Livonia, Michigan. KH coordinated with legal assistants in the Livonia office, who ran searches for any files or documents relating to DW. No documents were located other than those produced in response to the 104(e) request.
2. Located and interviewed former Dayton Walther employee, Jack Wantz. Mr. Wantz was employed by DW in various positions (from clerk to machine shop superintendent to Industrial Relations Manager) during the relevant time period. Mr. Wantz prepared an affidavit relating to the DW facilities, which was attached to KH's 104(e) responses. Due to the fact that the events at issue occurred over twenty years ago, Mr. Wantz emphasized that all he could provide was his best recollection.
3. Interviewed former KH employee, John Mogelnicki. Mr. Mogelnicki was employed by Kelsey Hayes as Manager of Environmental Engineering from approximately 1989 until 1995. Mr. Mogelnicki indicated that he had no first hand knowledge regarding the DW facilities at issue herein. He further indicated that everything he learned about the DW facilities is reflected in KH's 104(e) responses, which he authored.
4. Attempted to locate former DW employees Craig Ellis, Kur Friedmann, Jerry Thoma, John Ramsey, Frank Postisil, and Mike Turner by searching KH's pension records. KH was unable to find any information regarding the location of Craig Ellis or Frank Postisil. KH was able to locate the following last known addresses: Kur Friedmann, 120 Heatherwoode Circle, Springboro, Ohio 45066; Gerald Thoma, P.O. Box 41, Miamisburg, Ohio 45342; John Ramsey, 101 Derringer Drive, Englewood, Ohio 45322. The following address was located for Mike Turner, but it is unclear whether this is the same Mike Turner that was employed at the DW Moraine plant: 2701 N. Marton Road, Madison, IN.

II. Schedule A Topic No. 1: Information about the identity of all of your past or current officers, employees, agents or representatives that during any of the years 1965 through 1990 contracted with, or had any business dealings with, The Peerless Transportation Co. ("Peerless"), IWD, and/or any other waste hauler or NSL, Inc. or the NSL Site.

A. Based on the documentation reviewed and our conversation with Mr. Wantz, KH believes that the following former DW employees may have information regarding this topic:

1. Craig Ellis (former Maintenance Manager, Dayton)
2. Kurt Friedmann (former Maintenance Manager, Plant Manager, Dayton)
3. Jerry Thoma (former Maintenance Manager, Dayton)
4. John Ramsey (former Maintenance Manager, Plant Manager, Dayton)
5. Frank Postisil (former Environmental Manager, Dayton)
6. Mike Turner (former Maintenance Manager, Moraine)

III. Schedule A Topic No. 2: Information concerning any contracts, purchase orders or other agreements between KH and any waste hauler for the transportation or disposal of waste materials from KH's facilities in the Dayton, Ohio area for the years 1965 through 1990.

A. KH has no direct knowledge regarding this topic. Reference is made in Peerless' 104(e) response to an apparent agreement for at least some portion of 1989 between Peerless and DW to transport foundry product from DW. KH has not located any internal documentation, and Mr. Wantz had no knowledge, regarding this topic.

IV. Schedule A Topic No. 3: Information you have as to the physical layout of all KH facilities located in the Dayton, Ohio area.

Facility	Physical Layout
1366 Miami Chapel, Dayton, Ohio	<p><u>Prior to facility closing in 1981 or 1983:</u></p> <ul style="list-style-type: none"> • One story building • Consisted of a foundry and two machine shops. • Foundry contained one molding machine, lines where cores were poured, cooling equipment, a shake out room, a cleaning room and two furnaces. • One machine shop was located directly adjacent to the foundry. The other was located approximately 200 yards south of the foundry. • The machine shops contained multimatics, drill presses and bullards. <p><u>After the facility reopened in 1985/1986:</u></p>

	<ul style="list-style-type: none"> • Reopened as Dayton Casting Center. Same physical location but mailing address change to 1261 Morris Avenue, Dayton, Ohio. • Foundry was substantially the same as prior to closing, but the processes were different. The foundry changed from a cast steel foundry to ductile iron foundry. • The machine shops were closed. The machine shop that was formerly adjacent to the foundry was converted to a warehouse. The other was leased to Mayo Industries.
2800 East River Road, Dayton, Ohio	<ul style="list-style-type: none"> • Corporate Offices and test lab • Three story building. • Did not contain any production processes.
2490 Arbor Boulevard, Moraine, Ohio	<ul style="list-style-type: none"> • One story building • Manufacturing plant and machine shop. • Contained multimatics, drill presses, assembly lines and painting.

V. Schedule A Topic No. 4: Information about the identity of all NSL, Inc.; Peerless IWD; or NSL Site officers, employees, representatives or agents that you dealt with during the years 1965 through 1990.

- A. KH has no direct knowledge regarding this topic. Reference is made in Peerless 104(e) response to an apparent agreement for at least some portion of 1981 between Peerless and DW to transport foundry product from DW. The response attaches a letter from Peerless President and General Manager, Carl Bridges to Craig Ellis of Dayton Walther. However, KH has not located any internal documentation, and Mr. Wantz had no knowledge, regarding this topic.

VI. Schedule A Topic No. 5: Information about the production processes and other operations conducted at the KH facilities in the Dayton, Ohio area during 1965 through 1990, and the raw materials, intermediate materials, and waste or by product materials that were used in or generated by those materials.

Facility	Production Processes and Years of Operation	Waste That May Have Been Generated
1366 Miami Chapel Road, Dayton, Ohio	<ul style="list-style-type: none"> • Facility was closed from 1981 or 1983 until approximately 1985 or 1986. • When it reopened in 1985 or 1986, the facility became known as the Dayton Casting Center. • The physical location of the building was the same as prior to closing, but the mailing address was changed to 1261 Morris Avenue. 	<p>Prior to closing in 1981 or 1983:</p> <ul style="list-style-type: none"> • Foundry operations generate foundry sand, collection dust slag, and some sludge. • Mr. Wantz believed that some sludge-type material was generated by the foundry's insecure core drying process which was installed in the 1970's or 1980's. • Machine shops may have

	<ul style="list-style-type: none"> • This facility also had a plant entrance on South Broadway. • Facility closed in October of 1990. <p><u>Prior to closing in 1981 or 1983:</u></p> <ul style="list-style-type: none"> • Consisted of a foundry and two machine shops. • Foundry contained one molding machine, lines where cores were poured, cooling equipment, a shake out room, a cleaning room and two furnaces. • The machine shops contained multimatrics, drill presses and ballards. <p><u>After facility reopened in 1985/1986:</u></p> <ul style="list-style-type: none"> • Foundry was substantially the same as prior to closing, but the processes were different. The foundry changed from a cast steel foundry to a ductile iron foundry. • The machine shops were closed. The machine shop that was formerly adjacent to the foundry was converted to a warehouse. The other was leased to Mayo Industries. 	<p>generated some waste coolant oil. Shavings from the machine shop were recycled.</p> <ul style="list-style-type: none"> • Sand, dust and slag was self-hauled to Vance Road Landfill and a place on the other side of the river, known as Grilliot's. Mr. Wantz did not recall where sludge or coolant oil was disposed. • Mr. Wantz did not have any knowledge or recollection that any waste material was taken to Valleycrest. <p><u>After facility reopened in 1985/1986:</u></p> <ul style="list-style-type: none"> • Same types of foundry waste were generated. Machine shop were closed. • Foundry waste was no longer self-hauled. Mr. Wantz had no knowledge regarding which independent haulers were used. • Shipping docs produced by KI in its 104(e) response document some DW shipments to the Brandt Pike Disposal Site during 1987, 1988 and 1989. • In addition, reference is made in Peerless' 104(e) response to an apparent agreement for at least some portion of 1989 between Peerless and DW to transport foundry product from DW. The response attaches a letter from Peerless President and General Manager, Carl Bridges to Craig Ellis of Dayton Walther.
2800 East River Road, Dayton, Ohio	Corporate offices and test lab. No production processes.	Mr. Wantz was not aware of any waste being generated from this facility.
2490 Arbor Boulevard, Moraine, Ohio	<ul style="list-style-type: none"> • <u>Manufacturing plant and machine shop.</u> Contained multimatrics, drill presses, assembly lines and painting. • Facility was sold to Meritor in 1998 and closed in 2000. 	<ul style="list-style-type: none"> • Mr. Wantz did not believe that any sand or slag was generated from this facility. He believed there might have been coolant waste. This waste was hauled out by an independent hauler, but Mr. Wantz did not recall the name(s) of any such haulers.

VII. Schedule A Topic No. 6: Information about the origin, chemical composition characteristics and physical state of raw materials, intermediate materials, and waste or by-product materials used or generated at the KH facilities in the Dayton Ohio area from 1965 through 1990.

- A. Pecriess' 104(e) response attaches what appears to be analytical data from foundry product from DW.
- B. Shipping docs produced by KH in its 104(e) response document some DV shipments to the Brandt Pike Disposal Site during 1987, 1988 and 1989 c materials described only as "sand, sludge, slop, slud, lugger, trash, ash, cinder slag, dust, dirt, tanker, unknown." KH has not located any internal documentation and Mr. Wantz had no knowledge, explaining what these descriptions refer to c providing any information regarding their chemical composition, etc.

VIII. Schedule A Topic No. 7: Information about the containers in which raw materials, intermediate materials, and waste or by-product materials at the KH facilities in the Dayton, Ohio area were received, stored, treated, transported, or disposed during the years 1965 through 1990.

- A. The 1987, 1988 and 1989 shipping documents produced by KH in its 104(e) response make reference to "lugger" and "tanker." However, the meanings of these terms in the shipping documents is unclear. Mr. Wantz had no knowledge regarding the meaning of these terms in the shipping documents and KH has not located any information that sheds light on this issue.
- B. Mr. Wantz recalled that the sludge-type material generated by the foundry's Isecure core-drying process (which was installed at some point in the 1970's c 1980's) may have been stored in drums. He recalled that such drums were properly disposed of, but he did not recall the name(s) of any of the haulers.

IX. Schedule A Topic No. 8: Information about the disposal of drums or other containers from the KH facilities in the Dayton, Ohio area during the years 1965 through 1990.

- A. Mr. Wantz recalled that the sludge-type material generated by the foundry's Isecure core-drying process (which was installed at some point in the 1970's c 1980's) may have been stored in drums. He recalled that such drums were properly disposed of, but he did not recall the name(s) of any of the haulers.

X. Schedule A Topic No. 9: Information relating to policies or practices at the KH facilities in the Dayton, Ohio area for disposal of waste materials from 1965 through 1990.

- A. KH has no direct knowledge regarding this topic.

XI. Schedule A Topic No. 10: Information about the identity of your current or former officers, employees, agents, representatives or consultants who work or worked in the maintenance and environmental areas of any KH facility operated in the Dayton Ohio area or who might have knowledge relating to the information sought in this Schedule A.

A. Based on the documentation reviewed and our conversation with Mr. Wantz, KH believes that the following former DW employees may have information regarding this topic:

1. Craig Ellis (former Maintenance Manager)
2. Kurt Friedmann (former Maintenance Manager, Plant Manager)
3. Jerry Thoma (former Maintenance Manager)
4. John Ramsey (former Maintenance Manager, Plant Manager)
5. Frank Postisil (former Environmental Manager)
6. Mike Turner (former Maintenance Manager, Moraine)

XII. Schedule A Topic No. 11: Information relating to the handling, transportation and/or disposal of waste from the KH facilities to or at the NSL Site or any other landfill site or incinerator in the Dayton, Ohio area from 1965 to 1990.

A. See chart in VI, *supra*.

XIII. Schedule A Topic No. 12: Information as to the volume of waste generated at the KH facilities in the Dayton, Ohio area from 1965 to 1990.

A. The 1987, 1988 and 1989 shipping documents produced by KH in its 104(c) response make reference to "loads." However, the size of the "loads" reference in the shipping documents is unclear. Mr. Wantz had no knowledge regarding the meaning of the term "load" in the shipping documents and KH has not located any information that sheds light on this issue.

B. A December 1994 letter from Peerless to Martin, Seltzer at Porter, Wright, Morris & Arthur alleges that Peerless hauled from DW from 1986 through part of 1988 and transported 8 loads/day for 26 months for approximately 4956 loads in a yard tub for a total of 44,600 yds. KH has not and cannot verify these estimates.

XIV. Schedule A Topic No. 13: Information as to any analyses or testing of waste stream from the KH facilities in the Dayton, Ohio area.

A. Peerless' 104(e) response attaches what appears to be analytical data from foundry product from DW.

XV. Schedule A Topic No. 14: Information regarding KH' corporate organization corporate history and corporate successors, if any.

A. In 1997, DW was merged into KH Corporation. KH is currently an indirect wholly owned subsidiary of TRW.

XVI. Schedule A Topic No. 15: Information regarding KH divisions, plants or facilities operated by KH in the Dayton, Ohio area.

A. See chart in VI, *supra*.

Summary of Information
Available to Kelsey Hayes re Dayton Walther Facilities

I. Nature of Information Available to Kelsey Hayes and Steps Taken to Prepare for Depo

- A. Due to the closure of one of the DW facilities in 1990 and the sale of the other in 1998, Kelsey-Hayes' access to relevant documentation and individuals with knowledge is limited. In order to prepare for today's deposition, KH took the following steps:
1. **Conducted a thorough search of KH records for any relevant documents.** Any KH files relating to the DW facilities at issue herein would have been located in our offices in Livonia, Michigan. KH coordinated with legal assistants in the Livonia office, who ran searches for any files or documents relating to DW. No documents were located, other than those produced in response to the 104(e) request.
 2. **Located and interviewed former Dayton Walther employee, Jack Wantz.** Mr. Wantz was employed by DW in various positions (from clerk to machine shop superintendent to Industrial Relations Manager) during the relevant time period. Mr. Wantz prepared an affidavit relating to the DW facilities, which was attached to KH's 104(e) responses. Due to the fact that the events at issue occurred over twenty years ago, Mr. Wantz emphasized that all he could provide was his best recollection.
 3. **Interviewed former KH employee, John Mogelnicki.** Mr. Mogelnicki was employed by Kelsey Hayes as Manager of Environmental Engineering from approximately 1989 until 1995. Mr. Mogelnicki indicated that he had no first hand knowledge regarding the DW facilities at issue herein. He further indicated that everything he learned about the DW facilities is reflected in KH's 104(e) responses, which he authored.
 4. **Attempted to locate former DW employees Craig Ellis, Kurt Friedmann, Jerry Thoma, John Ramsey, Frank Postisil, and Mike Turner by searching KH's pension records.** KH was unable to find any information regarding the location of Craig Ellis or Frank Postisil. KH was able to locate the following last known addresses: Kurt Friedmann, 120 Heatherwoode Circle, Springboro, Ohio 45066; Gerald Thoma, P.O. Box 41, Miamisburg, Ohio 45342; John Ramsey, 1012 Derringer Drive, Englewood, Ohio 45322. The following address was located for Mike Turner, but it is unclear whether this is the same Mike Turner that was employed at the DW Moraine plant: 2701 N. Marton Road, Madison, IN.

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II. **Schedule A Topic No. 1:** Information about the identity of all of your past or current officers, employees, agents or representatives that during any of the years 1965 through 1990 contracted with, or had any business dealings with, The Peerless Transportation Co. ("Peerless"), IWD, and/or any other waste hauler or NSL, Inc. or the NSL Site.

A. Based on the documentation reviewed and our conversation with Mr. Wantz, KH believes that the following former DW employees may have information regarding this topic:

1. Craig Ellis (former Maintenance Manager, Dayton)
2. Kurt Friedmann (former Maintenance Manager, Plant Manager, Dayton)
3. Jerry Thoma (former Maintenance Manager, Dayton)
4. John Ramsey (former Maintenance Manager, Plant Manager, Dayton)
5. Frank Postisil (former Environmental Manager, Dayton)
6. Mike Turner (former Maintenance Manager, Moraine)

III. **Schedule A Topic No. 2:** Information concerning any contracts, purchase orders or other agreements between KH and any waste hauler for the transportation or disposal of waste materials from KH's facilities in the Dayton, Ohio area for the years 1965 through 1990.

A. KH has no direct knowledge regarding this topic. Reference is made in Peerless' 104(e) response to an apparent agreement for at least some portion of 1989 between Peerless and DW to transport foundry product from DW. KH has not located any internal documentation, and Mr. Wantz had no knowledge, regarding this topic.

IV. **Schedule A Topic No. 3:** Information you have as to the physical layout of all KH facilities located in the Dayton, Ohio area.

Facility	Physical Layout
1366 Miami Chapel, Dayton, Ohio	<p><u>Prior to facility closing in 1981 or 1983:</u></p> <ul style="list-style-type: none">• One story building• Consisted of a foundry and two machine shops.• Foundry contained one molding machine, lines where cores were poured, cooling equipment, a shake out room, a cleaning room and two furnaces.• One machine shop was located directly adjacent to the foundry. The other was located approximately 200 yards south of the foundry.• The machine shops contained multimatics, drill presses and bullards. <p><u>After the facility reopened in 1985/1986:</u></p>

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	<ul style="list-style-type: none"> • Reopened as Dayton Casting Center. Same physical location but mailing address changed to 1261 Morris Avenue, Dayton, Ohio. • Foundry was substantially the same as prior to closing, but the processes were different. The foundry changed from a cast steel foundry to a ductile iron foundry. • The machine shops were closed. The machine shop that was formerly adjacent to the foundry was converted to a warehouse. The other was leased to Mayo Industries.
2800 East River Road, Dayton, Ohio	<ul style="list-style-type: none"> • Corporate Offices and test lab • Three story building. • Did not contain any production processes.
2490 Arbor Boulevard, Moraine, Ohio	<ul style="list-style-type: none"> • One story building • Manufacturing plant and machine shop. • Contained multimatics, drill presses, assembly lines and painting.

V. Schedule A Topic No. 4: Information about the identity of all NSL, Inc.; Peerless; IWD; or NSL Site officers, employees, representatives or agents that you dealt with during the years 1965 through 1990.

- A. KH has no direct knowledge regarding this topic. Reference is made in Peerless' 104(e) response to an apparent agreement for at least some portion of 1989 between Peerless and DW to transport foundry product from DW. The response attaches a letter from Peerless President and General Manager, Carl Bridges to Craig Ellis of Dayton Walther. However, KH has not located any internal documentation, and Mr. Wantz had no knowledge, regarding this topic.

VI. Schedule A Topic No. 5: Information about the production processes and other operations conducted at the KH facilities in the Dayton, Ohio area during 1965 through 1990, and the raw materials, intermediate materials, and waste or by-product materials that were used in or generated by those materials.

Facility	Production Processes and Years of Operation	Waste That May Have Been Generated
1366 Miami Chapel Road, Dayton, Ohio	<ul style="list-style-type: none"> • Facility was closed from 1981 or 1983 until approximately 1985 or 1986. • When it reopened in 1985 or 1986, the facility became known as the Dayton Casting Center. • The physical location of the building was the same as prior to closing, but the mailing address was changed to 1261 Morris Avenue. 	<p><u>Prior to closing in 1981 or 1983:</u></p> <ul style="list-style-type: none"> • Foundry operations generated foundry sand, collection dust, slag, and some sludge. • Mr. Wantz believed that some sludge-type material was generated by the foundry's Iscore core drying process, which was installed in the 1970's or 1980's. • Machine shops may have

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	<ul style="list-style-type: none"> • This facility also had a plant entrance on South Broadway. • Facility closed in October of 1990. <p><u>Prior to closing in 1981 or 1983:</u></p> <ul style="list-style-type: none"> • Consisted of a foundry and two machine shops. • Foundry contained one molding machine, lines were cores were poured, cooling equipment, a shake out room, a cleaning room and two furnaces. • The machine shops contained multimatics, drill presses and bullards. <p><u>After facility reopened in 1985/1986:</u></p> <ul style="list-style-type: none"> • Foundry was substantially the same as prior to closing, but the processes were different. The foundry changed from a cast steel foundry to a ductile iron foundry. • The machine shops were closed. The machine shop that was formerly adjacent to the foundry was converted to a warehouse. The other was leased to Mayo Industries. 	<ul style="list-style-type: none"> • generated some waste coolant oil. Shavings from the machine shop were recycled. • Sand, dust and slag was self-hauled to Vance Road Landfill and a place on the other side of the river, known as Grilliot's. Mr. Wantz did not recall where sludge or coolant oil was disposed. • Mr. Wantz did not have any knowledge or recollection that any waste material was taken to Valleycrest. <p><u>After facility reopened in 1985/1986:</u></p> <ul style="list-style-type: none"> • Same types of foundry waste were generated. Machine shops were closed. • Foundry waste was no longer self-hauled. Mr. Wantz had no knowledge regarding which independent haulers were used. • Shipping docs produced by KH in its 104(e) response document some DW shipments to the Brandt Pike Disposal Site during 1987, 1988 and 1989. • In addition, reference is made in Peerless' 104(e) response to an apparent agreement for at least some portion of 1989 between Peerless and DW to transport foundry product from DW. The response attaches a letter from Peerless President and General Manager, Carl Bridges to Craig Ellis of Dayton Walther.
2800 East River Road, Dayton, Ohio	Corporate offices and test lab. No production processes.	Mr. Wantz was not aware of any waste being generated from this facility.
2490 Arbor Boulevard, Moraine, Ohio	<ul style="list-style-type: none"> • Manufacturing plant and machine shop. Contained multimatics, drill presses, assembly lines and painting. • Facility was sold to Meritor in 1998 and closed in 2000. 	<ul style="list-style-type: none"> • Mr. Wantz did not believe that any sand or slag was generated from this facility. He believed there might have been coolant waste. This waste was hauled out by an independent hauler, but Mr. Wantz did not recall the name(s) of any such haulers.

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VII. Schedule A Topic No. 6: Information about the origin, chemical composition, characteristics and physical state of raw materials, intermediate materials, and waste or by-product materials used or generated at the KH facilities in the Dayton, Ohio area from 1965 through 1990.

- A. Peerless' 104(e) response attaches what appears to be analytical data from foundry product from DW.
- B. Shipping docs produced by KH in its 104(e) response document some DW shipments to the Brandt Pike Disposal Site during 1987, 1988 and 1989 of materials described only as "sand, sludge, slop, slud, lugger, trash, ash, cinder, slag, dust, dirt, tanker, unknown." KH has not located any internal documentation, and Mr. Wantz had no knowledge, explaining what these descriptions refer to or providing any information regarding their chemical composition, etc.

VIII. Schedule A Topic No. 7: Information about the containers in which raw materials, intermediate materials, and waste or by-product materials at the KH facilities in the Dayton, Ohio area were received, stored, treated, transported, or disposed during the years 1965 through 1990.

- A. The 1987, 1988 and 1989 shipping documents produced by KH in its 104(e) response make reference to "lugger" and "tanker." However, the meanings of these terms in the shipping documents is unclear. Mr. Wantz had no knowledge regarding the meaning of these terms in the shipping documents and KH has not located any information that sheds light on this issue.
- B. Mr. Wantz recalled that the sludge-type material generated by the foundry's Isecure core-drying process (which was installed at some point in the 1970's or 1980's) may have been stored in drums. He recalled that such drums were properly disposed of, but he did not recall the name(s) of any of the haulers.

IX. Schedule A Topic No. 8: Information about the disposal of drums or other containers from the KH facilities in the Dayton, Ohio area during the years 1965 through 1990.

- A. Mr. Wantz recalled that the sludge-type material generated by the foundry's Isecure core-drying process (which was installed at some point in the 1970's or 1980's) may have been stored in drums. He recalled that such drums were properly disposed of, but he did not recall the name(s) of any of the haulers.

X. Schedule A Topic No. 9: Information relating to policies or practices at the KH facilities in the Dayton, Ohio area for disposal of waste materials from 1965 through 1990.

- A. KH has no direct knowledge regarding this topic.

XI. Schedule A Topic No. 10: Information about the identity of your current or former officers, employees, agents, representatives or consultants who work or worked in the maintenance and environmental areas of any KH facility operated in the Dayton, Ohio area or who might have knowledge relating to the information sought in this Schedule A.

A. Based on the documentation reviewed and our conversation with Mr. Wantz, KH believes that the following former DW employees may have information regarding this topic:

1. Craig Ellis (former Maintenance Manager)
2. Kurt Friedmann (former Maintenance Manager, Plant Manager)
3. Jerry Thoma (former Maintenance Manager)
4. John Ramsey (former Maintenance Manager, Plant Manager)
5. Frank Postisil (former Environmental Manager)
6. Mike Turner (former Maintenance Manager, Moraine)

XII. Schedule A Topic No. 11: Information relating to the handling, transportation, and/or disposal of waste from the KH facilities to or at the NSL Site or any other landfill site or incinerator in the Dayton, Ohio area from 1965 to 1990.

A. See chart in VI., *supra*.

XIII. Schedule A Topic No. 12: Information as to the volume of waste generated at the KH facilities in the Dayton, Ohio area from 1965 to 1990.

A. The 1987, 1988 and 1989 shipping documents produced by KH in its 104(e) response make reference to "loads." However, the size of the "loads" referenced in the shipping documents is unclear. Mr. Wantz had no knowledge regarding the meaning of the term "load" in the shipping documents and KH has not located any information that sheds light on this issue.

B. A December 1994 letter from Peerless to Martin, Seltzer at Porter, Wright, Morris & Arthur alleges that Peerless hauled from DW from 1986 through part of 1989 and transported 8 loads/day for 26 months for approximately 4956 loads in a 9 yard tub for a total of 44, 600 yds. KH has not and cannot verify these estimates.

XIV. Schedule A Topic No. 13: Information as to any analyses or testing of waste streams from the KH facilities in the Dayton, Ohio area.

A. Peerless' 104(e) response attaches what appears to be analytical data from foundry product from DW.

XV. Schedule A Topic No. 14: Information regarding KH' corporate organization, corporate history and corporate successors, if any.

A. In 1997, DW was merged into KH Corporation. KH is currently an indirect wholly owned subsidiary of TRW.

XVI. Schedule A Topic No. 15: Information regarding KH divisions, plants or facilities operated by KH in the Dayton, Ohio area.

A. See chart in VI, *supra*.

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